



TNA000164

TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION  
JACKSON ENVIRONMENTAL FIELD OFFICE  
1625 HOLLYWOOD DR.  
JACKSON, TENNESSEE 38305-4316  
PHONE (731) 512-1300 STATEWIDE 1-888-891-8332 FAX (731) 661-6283

March 31, 2011

CERTIFIED MAIL # 7010 0290 0002 6769 6180

Mr. Andy Holt  
461 Jewell Store Road  
Dresden, TN 38225

RECEIVED

APR 06 2011

IN Division Of Water  
Pollution Control

Re: Compliance Inspection  
NPDES Permit Tracking No. TNA000164 (expired)  
A & E Livestock  
Dresden, Weakley County

Dear Mr. Holt:

This letter is to inform you that on February 25, 2011, Steve Owens and I conducted a CEI at A & E Livestock in Weakley County, Tennessee. A & E Livestock had permit coverage under the states' GENERAL NPDES PERMIT FOR CLASS II CONCENTRATED ANIMAL FEEDING OPERATION, PERMIT NO. TNA000000, which expired on August 5, 2009. A completed Notice of Intent (NOI) was not re-submitted prior to the expiration date of the general permit (See Part IV, Sub-Part F.) and thus did not continue your permit coverage under the expired general permit. The General State Operating Permit for Class II Concentrated Animal Feeding Operations (CAFOs) permit (SOPCD0000) for which you are eligible for coverage was issued on October 29, 2010. As of the date of this letter, you have not obtained coverage under this permit. Please note that you are not authorized to discharge under any circumstance without proper permit coverage.

At the time of inspection, we noted two active barns, a gutter flush barn and a slatted floor shallow pit barn, with combined housing capacity of up to 1460 hogs with the waste being treated by a single stage lagoon. We noted a smaller lagoon that was to be drained and used only as an emergency storage facility. At the time of inspection, the primary lagoon had been pumped down 2 feet (as reported in your written response) over night which equates to 482,260 gallons and the emergency lagoon was actively being agitated and pumped down 15 inches (as reported in your written response to the discharge) which would equate to 142,560 gallons to the south field J2, directly out of a six inch aluminum line, without spray dispersal, within sixty feet of a stream. Records regarding your operation were not available on site for review. Severe erosion and degradation noted within the lagoon slopes and around the facility were noted.

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Mr. Holt

During a records review meeting at this office on March 10, 2011, documentation was provided of the required records except for Annual Reports, Annual Manure Analysis and Agreement for the Removal of Litter, Manure and/or Process Wastewater from an AFO (Appendix B in the expired permit and Appendix C in the current permit).

In order to obtain permit coverage, you must submit a Notice of Intent, a site specific Nutrient Management Plan (NMP), and a closure/rehabilitation plan for the waste system storage/treatment structures to the Tennessee Department of Agriculture, TDEC's-Water Pollution Control Division- Permit Section and the Jackson Environmental Field Office-Water Pollution Control Division by June 1, 2011. Assistance from Natural Resource Conservation Service (NRCS) or equivalent, is available to develop a site-specific NMP. You need nutrient values of both lagoons to establish a realistic nutrient budgeting for your disposal fields with phosphorous as the limiting nutrient. This NMP should give you multiple options on crops to be planted and options for mortality management.

Please be advised that until the Notice of Intent, Nutrient Management Plan, and closure/rehabilitation plan are submitted and approved and a Notice of Coverage has been issued, the operation does not have permit coverage in accordance with the Tennessee Water Quality Control Act.

A copy of the completed EPA Form 3560 is attached for your records. If you have questions or require further assistance, you may reach me at 731-512-1305 or via E-Mail at [jack.wade@tn.gov](mailto:jack.wade@tn.gov).

Respectfully;



Jack Wade  
Environmental Specialist IV  
Division of Water Pollution Control

Cc: File

WPC- Enforcement and Compliance Section

WPC- Permit Section

TDA- Ellington Agricultural Center, Attention – Dr. Sam Marshall



## Water Compliance Inspection Report

### Section A: National Data Coding (i.e., PCS)

Transaction	Code	NPDES #	yr / mo / dy	Inspection Type	Inspector	Facility Type
N	5	T N A 0 0 0 1 6 4	1 1 0 2 2 5	=	S	3

Remarks

Inspection Work Days	Facility Self - Monitoring Rating	BI	QA	Reserved
		N	N	

### Section B: Facility Data

<b>Name and Location of Facility Inspected</b> <i>For industrial users discharging to POTW, also include POTW name and NPDES permit number</i>  A & E Livestock 2423 James Mill Road Dresden, TN 38225	<b>Entry Time / Date</b> 12:00 p.m. 02/25/2011	<b>Permit Effective Date</b> 08/05/2005
	<b>Exit Time / Date</b> 1:30 p.m. 02/25/2011	<b>Permit Expiration Date</b> 08/05/2009
<b>Name(s) of Onsite Representative(s) / Title(s) / Phone and Fax Number(s)</b>  No representatives on site	<b>Other Facility Data</b>  ≈ 1460 hogs in 2 barns.	
<b>Name, Address of Responsible Official / Title / Phone and Fax Number</b>  Andy Holt / Owner / (731) 514-3122 161 Jewell Store Road Dresden, TN 38225	<b>Records &amp; reports were reviewed in the Jackson Environmental Field Office on 03/10/2011.</b>	
<b>Contacted</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

### Section C: Areas Evaluated During Inspection (Check only those areas evaluated)

<input checked="" type="checkbox"/> Permit	<input type="checkbox"/> Flow Measurement	<input checked="" type="checkbox"/> Operation & Maintenance	<input type="checkbox"/> CSO / SSO (Sewer Overflow)
<input checked="" type="checkbox"/> Records / Reports	<input type="checkbox"/> Self-monitoring Program	<input type="checkbox"/> Sludge Handling	<input checked="" type="checkbox"/> Pollution Prevention
<input type="checkbox"/> Facility Site Review	<input type="checkbox"/> Compliance Schedule	<input type="checkbox"/> Pretreatment Program	<input type="checkbox"/> Multimedia
<input checked="" type="checkbox"/> Effluent / Receiving Waters	<input type="checkbox"/> Laboratory	<input checked="" type="checkbox"/> Storm Water	<input type="checkbox"/> Other:

### Section D: Summary of Findings / Comments

- A notice of intent has not been submitted for continuation of permit coverage prior to expiration of the general permit that A & E Livestock was covered under.
- The 3<sup>rd</sup> party removal agreement is not being maintained.
- Annual manure nutrient analysis consistent with 40 CFR § 412 is not being conducted.
- Annual reports have not been submitted to the Division of Water Pollution Control.
- Livestock are grazing in the production area and contaminating storm water.
- Mortality management practices being used do not comply with the Nutrient Management Plan.
- Ground conditions have not been properly documented during the weekly storm water inspections nor have subsequent repairs and/or corrective actions been accomplished.
- Written report about the discharge, that took place on 02/24/2011, was incomplete and 9 days late.
- The site specific Nutrient Management Plan must be re-written in accordance with Rule 1200-4-5-.14(16)b.

<b>Name (s) and Signature(s) of Inspector(s)</b> Jack Wade	<b>Agency / Office / Phone and Fax Numbers</b> TDEC / DWPC / JFO (731) 512-1300 / (731) 661-6283	<b>Date</b> 03/14/2011
<b>Name (s) and Signature(s) of Inspector(s)</b> Steve Owens	<b>Agency / Office / Phone and Fax Numbers</b> TDEC / DWPC / JFO (731) 512-1300 / (731) 661-6283	<b>Date</b> 03/14/2011
<b>Signature of Management Q A Reviewer</b> Pat Patrick	<b>Agency / Office / Phone and Fax Numbers</b> TDEC / DWPC / JFO (731) 512-1300 / (731) 661-6283	<b>Date</b> 03/14/2011